



STRICTURES

ON A

LATE PAMPHLET,

ENTITLED

PLAIN ARGUMENTS, &c.



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THOMAS ARNOLD, Esq.

STRICTURES K

John ON A *Johnson*

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PLAIN ARGUMENTS, &c.

In Defence of the People's absolute Dominion over
the Constitution, &c.

Wherein the Author's Misrepresentations of the late Con-
vention are occasionally considered.

D U B L I N :

PRINTED BY P. BYRNE, No. 35, COLLEGE-GREEN.

M, DCC, LXXXIV.

STRICTLY

CONFIDENTIAL

OFFICE OF THE SECRETARY OF THE ARMY

WASHINGTON, D.C.

MINI ARGUMENT

The Secretary of the Army has the honor to acknowledge the receipt of your letter of the 10th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

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STRICTURES, &c.

I HAVE somewhere read a story of a Danish Pirate, who having resolved to plunder the town of *Siena*, in Italy, thought it the most happy expedient to pretend conversion from Paganism to Christianity: But, the stratagem not availing to gain him admittance within the walls, he carried the farce a little further, pretended to be seized with a mortal distemper, and sent for the Bishop of the place to give him the *rites of the Church*. When the holy man arrived, the dying warrior made it his solemn and last request, that he should be interred
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in consecrated ground ; the Prelate consented, and proud of his illustrious convert, insured him a place in the body of the church. Immediately the report of his death was spread, the body was pompously conveyed to the place of interment, by a large body of Danes ; but when they had got within the walls, at a signal given, the Scandinavian hero started from his bier, and gave the word to plunder. All this was natural enough ; and no more happened to the inhabitants of Seena than to *La Fontaines* mice, who (as they were ignorant of the *Danish* history) were in a similar manner imposed upon, by the appearance of a dead cat. But had the inhabitants of Siena suspected a stratagem, had they insisted upon opening the coffin before it entered the gates ; had they found in the seemingly defunct, the most unequivocal signs of life, and yet suffered themselves to be persuaded by some artful traitor, that the heaving of his lungs were but the agonies of approaching dissolution,

solution, and that the pulsation of the Arteries were neither less nor more than that *subsultus tendinum*, which is so common in dying persons, I believe, no one would pity the *Sieneſe*, if they suffered by their credulity. This is reckoned by divines a very incredulous age; but they only speak in the way of their trade, and it is lawful for every man to *labour in his vocation*; but with due submission, I will venture to insist on it, that it has symptoms of belief in it that seem to prognosticate a paroxysm of credulity, and that we really walk by faith, not by sight, if by that is meant, being argued out of our senses. *Hume* having endeavoured to argue us out of a belief of our existence, thought he might advance what he pleased to such bundles of perceptions as he had made of us. Accordingly in different parts of his history he has represented Popery as a most formidable engine of superstition; or an innocent system of speculative opinions, as best suited his hypotheses, when, by the

the circumstances of the times, it became a check upon his favourite royal prerogative, before the constitution was yet formed, he reprobates the baneful influence of the Hierarchy: but in James the Second's time, when those benign stars, popery and arbitrary sway, instead of being in opposition acted in conjunction; when the religion and constitution of our country was at stake; then superstition, the nurse of slavery, became a system of innocent speculative opinions. To an ordinary man, in the latter case it appeared in a more questionable shape; it seemed a ready engine of arbitrary power: but Hume knew his trade; he made a handsome fortune by vending paradoxes, because numbers affect to understand unintelligible things, and he had a knack of dressing his sophistry in good language. But alas! every great man has his counterfeits, every poet has his tribe of poetasters. Adulteration has even descended to Anderson's Scots' pills, although it is a patent medicine,

medicine, and where shall we expect to get a piece of genuine sophistry, if every little operator in politics will needs think for himself, and dress up his paradox as well as his betters.

But peace to all such! let them ride their hobby-horses without fine or penalty, around the *circular road* of argumentation. But there are gentlemen whose intellects are to be measured by a different standard, and who make their advances in a different manner. The chief of this party has borrowed his mode of argument from a late Comedy, where a physician frights a lover from his mistress, by persuading him that he is in a bad habit of body. Thus he proceeds with his, he tells us we are in a deplorable way, but he is kinder than the physician, for he, very humanely and disinterestedly, prescribes a method of curing all our political maladies. The mode he presents to our consideration is simply this, to let our very good friends

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and brethren, the Roman Catholics *make laws for us*, or in other words, *give us law*, as we have succeeded so badly ourselves in the trade of legislation. He sets out with a compliment to the "*instinctive feelings* of the people," the application of which is somewhat ambiguous. If by the people, he means the Protestants, they certainly have felt the Papists, and that pretty severely; if he means the Papists, he wants to persuade them into a morbid sensibility of visionary evils; if he means both together, he wants to persuade them out of the rest of their senses, and then let them *feel* their way after him as they best can; but let them take care of the chasm in the end of his argument, which though he seems to leap over in all the agility of logic, and pomp of aerostatic declamation, it still appears an horrible and bottomless abyss, notwithstanding all the rubbish he has thrown into it—But of this in its proper place.

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He proceeds, but first, to shew that he is no little mercenary writer, but a real gentleman, he shews his politeness by gently *begging the question*, whereas, another unbred fellow would not accept of it 'till he had proved his title to it: but he disdains such a *low* method of procedure; only grant him that the people, *i. e.* the whole community, to the very dregs are *oppressed*, and that this oppression consists in their not being permitted to interfere in elections, and spread the bane of corruption further than it is, and he will prove that this oppression will operate like an earth-quake, and tumble down our houses. Like ARCHIMEDES, give him ground to erect his engine upon, and he will shake the whole world, and bring the constitution about our ears, like an old ruinous fabric.

There is a certain ambiguity in his use of the word *the people*; with him it sometimes means the whole aggregate

body; sometimes it is the National Convention of last year; then it is the Volunteers. I suppose *now* (like the clown's answer in Shakespear, that fitted every question) his definition of the people will only apply to the Congress

Institui—Amphora cepit,

Currente rota cur URCEUS exit.

We find the broad basis of the community on which he set out, ending in a point like a Pyramid, or an *extinguisher*; but he was too humane to give us a lighted torch without its proper concomitant, as he knows a burnt *child* dreads the fire.

The present constituents, indeed, he does not allow to have (I had almost said) any share in the *constitution*, and parliaments have no right of *themselves* to alter the constitution, as they are only delegates of the present constituents, *i. e.* the clergy, gentlemen, burgessees, and

and freeholders, who are next to no body. I do not well know, whether by the word themselves, he means to describe the parliament as individuals, or collective bodies: as individuals they certainly have no right to make laws; as a collective body of delegates, one would think they had some power, but this gentleman denies that the present constituents have the proper power of sending delegates to parliament, and if that be the case, where no power is, none can be transferred, for *of nothing comes nothing*.

When the question recurs, "Who are constituents, who are delegates or representatives?"—He will consider himself by and by, "He is now only like a mole, got a little out of our depth, in order to get below the *earth-quake* which he raised, and it will go hard but he will delve a yard *below our mines and blow us to the moon*." The House indeed is falling, and he has forbid the
state

state carpenters and masons to obey the orders of their old employers. What's to be done in this dilemma?—"Let them wait," says he, like the ghost of Hamlet from the vault, "Let them wait 'till I appoint people to give them orders;" the old constituents are no constituents—Let the whole fabric tumble with a vengeance; our new *Pandæmoneum* shall rise like an exhalation. In the mean time"

"I like this rocking of the battlements,

"Shake on ye towers! rage mob! and factions roar!

"Ye are the powers ordained to make my fortune,

"And suit the anxious craving of my soul."

But, to deliver myself like a man of this world—It is from the new delegates of the new constituents, that the old delegates of the old constituents are now to take the word of command.—'Tis true, the people gave up their power to their old representatives, but *second thoughts are best*. This does not come up to the meaning of the word DELEGATION, for that literally signifies

fies that the parliament shall obey two masters ; that is, their old constituents and the new interpreters of these constituents, the Delegates. The senate, indeed, will be in the situation of SHAKESPEARE'S *Francis*, answering, "anon, anon, Sir," to two calls at once : but no matter ! 'twill be a pleasant farce after all this sad work ! there was some thing like it played in London, in *Heideggers* time, who you know was rather a hard featured man, for which reason he never could be prevailed upon to sit for his picture : but one night he was intoxicated on purpose, and, while he was in a state of insensibility, the mold of his countenance was taken by the famous Mrs. *Salmon*, and from it was formed a mask of amazing likeness. At the ensuing masquerade on the appearance of the royal family, *Heidegger* called for the tune of "God save the King," another *Heidegger* started up, and instantly ordered the music to play "Charley over the Water."

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The orchestra was in astonishment and dilemma; the assembly, who thought the devil had got amongst them, was in an uproar: the King was in the secret, and, after enjoying the jest as long as he thought proper, gave orders to have the matter explained. “ *But before that when the counterfeit insisted upon being the real Heidegger, the poor gentleman was rather in a bad way, and had he turned out the sour master of the revels, as he seemed to intend, it might have caused some small derangement in the system of affairs.* ” “ But that wont be the case here, for I will bring you in some new masquerading friends, who will take care to keep every thing quiet.” He does not leave us long without the felicity of knowing who these friends are, the same page tells us they are our good friends the Roman Catholics, who, because they pay taxes, ought to make laws, as if liberty and property enjoyed under laws equal to every one, were not an equitable return for their taxes, this

this is real *liberty*, notwithstanding their cry of oppression and slavery; but under the name of liberty, they would have a *power* of overturning the constitution when they please: his declamations about grievous oppression, and the narrowness of the constitution, would have had some weight two hundred years ago, when the Protestants and Papists lived under different systems of laws, but they are rather untimely now, when even the penal laws are either repealed or mitigated.

He dwells very much on the extent of the franchises, but he forgets to prove how it would eradicate corruption: If, as he says, the right of voting is *now* a *monopoly*, surely taking away the monopoly, like the charter of the India Company, and extending the right of selling their votes to all, would only enable them to bring the commodity cheaper to market. Indeed, on his mode, Candidates would only be obliged to apply

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to certain parochial Demagogues, who, tho' like Father *Dominic*, they would not take a bribe *logice*, yet would shew a pocket in their gowns, where it might be dropt with safety and success.

It is a matter lamented by all true politicians, that by the natural decrease in the value of money, forty shilling freeholders, (as they are called) who formerly from their comfortable circumstances, were less liable to influence, are now so poor, and so easily corrupted, that they in the reality are the morbid part of our constitution.—Would this gentleman encrease the disorder? This, however, would be the certain consequence, if the franchises were extended to the whole community, which his argument leads to in its full extent. This might have very unpleasant consequences, if people of property, who know best the interests of *their country, i. e. their own*, were to be out-numbered, and led by the multitude on every election, unless indeed he could
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communicate along with the legislative power, a portion of that disinterested and liberal spirit, for which he is so remarkable.

After trying his battery on the shield of *Locke* for two pages, he gives us the pantomime of *Heidegger* again : The representatives of the nation are no more ; the *National* Convention speaks the sense of the people, unless some more extended class, the Papists, or the Plebs infima, the *Canaille* of the streets should differ from them, and call a convention of their own, where will this marvellous chain of argument close ! Here is congress behind congress in endless perspective, each a check upon the other.

And F——d meets Br——n, and jostles in the Dark.

All the springs of government acting in a sort of retrograde direction, the harmony of the constitution destroyed, and every thing tending to anarchy and confusion,

fusion, whenever any designing Demagogue will find it for his emolument to throw the nation into a state of apoplexy.—The *uncontradicted* sense of the volunteers is, he says, the sense of the nation; but when it is contradicted, no matter by whom, or for what purpose, it is no longer the sense of the nation, “no, certainly, for it is then a *contradiction to sense*.” The volunteers are obliged to him for this, “The people must meet under some *description* or *descriptions*—If we don’t like Parliaments, we shall have a Convention; if that won’t go the lengths we would have them, if they have any qualms of conscience, any regard to religion, *begar* we will have a Congress.”

Flectere si nequeo, supero, Acheronta
movebo.

That this is the plain and natural interpretation of his language, appears from his qualified praise of the Convention of last
year,

year, an encomium splendid indeed, but medicated with the bitterest censure: The reason is plain, Lord Charlemont was chairman of that assembly, and they were too enlightened, too virtuous a body to go the lengths in altering the constitution, which this gentleman so strenuously recommends. This is the source of his rancour against the most amiable character in the kingdom, tho' why he should vent his malice against him, when he praises the Convention who acted on the same constitutional principles, is to me inexplicable.

This gentleman has got a knack of raising phantoms in order to lay them; conjuring up the shadow of an argument, in order to have the pleasure of confuting it with an address peculiar to himself. This mode of argumentation, joined to his *petitio principii*, or *begging the question*, makes up his whole system of logic. He supposes that we deny the
voice

voice of the volunteers, either in Convention or Parliament, to be the sense of the nation: suppose it was so in both, is not the *silence* of the volunteers the *sense* of the nation too? On the subject of the Popish franchises they were *silent*; but their *silence* had a *peculiar emphasis*.

Let the reader judge by this, in what sense he is to understand his splendid encomium on the Convention, and what are the real ingredients of his laboured panegyric. He praises the majority of the nation indeed, but he lets the volunteers see, by his treatment of their favourite general, what they might expect from him: he acts like my friend Dr. Ker, who when the boys have committed a fault, and he does not think proper to flog them all, makes at least their *ringleader* an example.

But he is as unfortunate in his panegyric as his satire: He pays a most unfortunate compliment to the volunteers,
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when he says * “every man might rank among them *that pleased*.” This is a very severe censure, if he uses the word in the vulgar, colloquial sense? but I would not suspect him of such a barbarism; he must therefore mean, that *every man who pleased i. e.* “To whom they had no objection, religious, moral or political,” might become a volunteer.

The fallacy of his whole argument consists in his setting out on Locke's principles, on which the rights of a political community are founded; but granting for a moment, that he is right in the whole extent of his conclusion, are the people whose arbitrary principles, bloody zeal, treachery and rebellion, in England and Ireland, drove us to form this constitution, are they to be entitled to a share in the legislation with us? As well might the brethren of Joseph claim a share with him in the government of Egypt, *because* their barbarity had driven him to seek the assylum: “But they have been quiet for

* Page 16.

a long course of years." Yes, but was not the Tyger confined within the bars of penal laws? Are not their principles still the same?

But supposing their disposition to be pacific, how can people evidently under a foreign influence, pretend to be the same *community* in a legislative sense.—Protection and toleration is all they are entitled to; they have more, they have liberty and property, blessings which are not enjoyed by Protestants in Catholic countries; any thing further would be against every maxim of sound policy: It would be that *imperium in imperio* which every good government now disavows, a solecism in politics, which disturbed Europe for many ages. Let me ask, are not the body of Papists in notorious subjection to their priests? Are not their priests subordinate to their bishops? Do not their bishops swear allegiance to the Pope? And is it not well known, that his holiness can give or withdraw the
power

power of confession or absolution as he pleases, or as suits him best? If any man says, that superstition has not now any influence on the human mind, I lament his ignorance? If the Papists deny the influence of superstition, why don't they relinquish it at once, and join the religion of reason and liberty? Either they are Papists in the most dangerous sense of the word, or they are not; if the latter be the case, they avow that they have *no* regard to religion, and we have too many legislators of that kind among us already.

In the former case, supposing foreign influence to have no effect, supposing the millennium to arrive, before the interests of the Pontiff and the Gallic monarch could so far unite, as to induce them to join in disturbing the affairs of Ireland; still a nearer danger calls us home. Had the Papists a franchise, should their religion and interest ever happen to be on the same side, and supposing administration

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had any point to carry, it would have nothing to do, but manage the Popish faction skilfully, and by giving them small concessions, win from them great ones, at the expence at least of the established religion! This is no vague conjecture, if we may be allowed to judge of the *future* by the *past*--every one knows or may know how uniformly the *Popish interest*, as it is called, has acted on the courtly side for a series of years. The pliability of their loyalty formed a striking contrast to the whiggish stubbornness of the real friends of Ireland; but as we want no such legislators, we do not wish to see the religion and liberty of our country bartered away in complimentary exchange, under some able and corrupt administration. We know the influence of the catholics, and we dread the consequence, were they allowed to grasp almost the whole representation into their hands.

Considered in the most favourable light, such a measure would only tend to introduce

introduce disunion and distraction, it would be throwing a weight into the balance of the constitution, which *one* of the constituent powers could easily turn to the ruin of another. It would subsume the violence of party with the frenzy of religious hatred, it would spread animosity among all ranks of men, our public meetings would be changed into factious bickerings, and our elections into Crusades.

In the Southern and Western provinces, where commerce has not yet diffused her liberal spirit, the Papists are most numerous, yet most subject to influence, as they are more immediately under the power of their landlords.

The Dissenters of the North did not seem aware of this, when the spirit of liberality and unlimited toleration got footing among them; they seemed to think the Papists as feeble every where else, as they are in ULSTER. This I would in

charity suppose, for I would not imagine they had the same views with their ancestors, who joined James the Second in his scheme for universal toleration.— Had they succeeded, the liberty and religion of their country had soon been no more: but the Protestants stood in the breach, and (as I hope they always will) saved the church and state from the machinations of her two most inveterate enemies. I know they were led into the snare by the love of power: but now *they* are in possession of power, they can have no motive in encouraging the Papists, but *a bigoted* and persecuting zeal against the established religion, to destroy which, they would willingly sacrifice their own: I only speak of the partizans of Popery, I know and I esteem great numbers of that communion, as I am conscious, their characters are highly respectable in every point of view.

To

To their brethren I would put the serious question, what do they imagine would be the influence of this measure upon our religion and liberty? I ask this on a supposition, that they do not suspect what many very intelligent men are very well convinced of, viz. That France and Rome are both at the bottom of these disturbances: they suspect it, because they every day hear the protection and patronage of France recommended in high strains of panegyric, just as if the interest of our commerce would not more immediately interfere with that of France, supposing us detached from England, and dependant upon her, particularly with respect to the woollen trade; for it is well known that the drapery with which she supplies the *Levant*, is all mixed with Irish wool, as their own staple is much too coarse and stubborn for that species of manufacture. This consideration I *rather* insist upon, as interest is often a prevail-

prevailing motive, when religion is looked upon with contempt.

As we must either be dependant on England, or some other mighty neighbour, I wish we were indissolubly united to the former, as I think her government and constitution with all its defects, preferable to any other. I am afraid that an extension of the franchise would not carry with it any large proportion of political virtue, and this our antagonist seems to allow in that notable paragraph, wherein he gives up the whole argument at once, and *allows* that the franchise which he contended for as equally the property of *all*, should be confined * to Popish freeholders of fifty pounds per annum, lest they should penetrate too deeply into the constitution. I suppose, he means, lest they should transfer it. It is our business to take care of that, but as for the orator himself, there

is no danger from him, as he fights with a foil. I am afraid on another ground, of extending the franchise of election to a mixt multitude, as that seems to have been the immediate cause of the ruin of the Roman Republic, when the freedom of that city was extended to the inhabitants of all Italy.

But were the boroughs placed upon their antient footing, were none to vote but residents, the owners of boroughs would be encouraged to improve them to the utmost, and in proportion to their improvement the country all round would partake of the blessing; this, with triennial parliaments, and heavy penalties on bribery, imposed both on candidate and constituent, when proved, would be very desirable: unless we should adopt a more simple mode, viz. election by lot, that is to chuse by lot so many parishes from a country, or so many inhabitants from all the voters of a borough, and let them vote for the rest.

rest. In this case, as no one would know whom to corrupt, no one could be corrupted, and bribery and influence would suffer a total extirpation. Nor is this mode unknown to the constitution, as in the pannel of a jury, somewhat like it is very observable, for here, before the exceptions are made, no man knows, whether or not, he will be called upon to join in the deliberation, or add his sanction to the verdict.

F I N I S.



